

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

KATHRYN WALKER,

Plaintiff,

v.

CHRISTINE E. WORMUTH,
SECRETARY OF THE ARMY;

Defendant.

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CIVIL NO. W-23-CV-00564-ADA

**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Before the Court is the Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske. ECF No. 14. The report recommends Defendant Christine E. Wormuth, Secretary of the Army's Motion to Dismiss (ECF No. 7) be **GRANTED**. The report and recommendation was filed on May 2, 2024.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A district court need not consider "[f]rivolous, conclusive, or general objections." *Battle v. U.S. Parole Comm'n*, 834 F.2d 419, 421 (5th Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), *overruled on other grounds by Douglass v. United States Auto. Ass'n*, 79 F.3d 1415 (5th Cir. 1996)).

Plaintiff filed objections on May 13, 2024. ECF No. 15. The Court has conducted a *de novo* review of the motion to dismiss, the responses, the report and recommendation, the objection to

the report and recommendation, and the applicable laws. After that thorough review, the Court is persuaded that the Magistrate Judge's findings and recommendation should be adopted.

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske., ECF No. 14, is **ADOPTED**.


IT IS FURTHER ORDERED that Plaintiff's objections are **OVERRULED**.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss, ECF No. 7, is **GRANTED** in accordance with the Report and Recommendation.

IT IS FURTHER ORDERED that all remaining pending motions are **DENIED AS MOOT**.

IT IS FINALLY ORDERED that the Clerk of Court is respectfully directed to close the case.

SIGNED this 20th day of May, 2024.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE